

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION,
STATE OF CALIFORNIA, STATE
OF COLORADO, STATE OF
ILLINOIS, STATE OF INDIANA,
STATE OF IOWA, STATE OF
MINNESOTA, STATE OF
NEBRASKA, STATE OF OREGON,
STATE OF TENNESSEE, STATE
OF TEXAS, STATE OF
WASHINGTON, and STATE OF
WISCONSIN, et al.,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION
AG, SYNGENTA CORPORATION,
SYNGENTA CROP PROTECTION,
LLC, and CORTEVA, INC.

Defendants.

CASE NO. 1:22-CV-828-TDS-JEP

**JOINT CONSENT MOTION TO EXTEND THE WORD LIMIT FOR
DEFENDANTS' REPLIES IN FURTHER SUPPORT OF THEIR
MOTIONS TO DISMISS PLAINTIFFS' AMENDED COMPLAINT**

Defendants Syngenta Crop Protection AG, Syngenta Corporation and Syngenta Crop Protection, LLC (together, "Syngenta") and Corteva, Inc. ("Corteva") (collectively, "Defendants"), by and through their undersigned attorneys and pursuant to Local Rule 7.3(d)(l), respectfully and jointly request leave for Defendants to file replies in Support of their Motions to Dismiss Plaintiffs' Amended Complaint that exceed the 3,125-word limit of Local Rule

7.3(d)(l), up to a proposed limit of 4,000 words for each memorandum (constituting one memorandum for Corteva and one combined memorandum for the three Syngenta entities). In support of this Motion, Defendants state as follows:

1. Plaintiffs filed their original Complaint on September 29, 2022. (ECF No. 1).
2. Defendants moved to dismiss the Complaint on December 12, 2022. (ECF Nos. 64, 65).
3. In connection with the Syngenta's Motion to Dismiss, Syngenta moved for an enlargement of the word limit for principal briefs in Local Rule 7.3(d)(1) to 7,726. Plaintiffs thereafter notified the Court that they did not oppose that enlargement, (ECF No. 76), and the Court granted Syngenta's motion. (ECF No. 77).
4. Rather than respond to Defendants' motions to dismiss, Plaintiffs instead filed an Amended Complaint on December 23, 2022. (ECF No. 79).
5. The Amended Complaint is 108 pages long and asserts 16 separate causes of action against Defendants.
6. Defendants moved to dismiss the Amended Complaint, and in advance of those motions all Parties asked the Court for an enlargement of the default word limit for principal briefs of 6,250 set by Local Rule 7.3(d). (ECF. No. 92).

7. To fully inform the Court of the bases for dismissal asserted, Defendants asked that the Court allow each of Corteva's and Syngenta's Memoranda in Support of their Motions to Dismiss to contain up to 8,000 words, as calculated pursuant to Local Rule 7.3(d). *Id.*

8. Similarly, Plaintiffs asked that the Court allow their Memorandum or Memoranda in Opposition to the two Motions to Dismiss be permitted to contain a total of 16,000 words, as calculated pursuant to Local Rule 7.3(d). *Id.*

9. The Court granted the Parties' Joint Motion on January 13, 2023. (ECF No. 93).

10. That same day, Syngenta and Corteva each filed a Memorandum in Support of Motion to Dismiss the Amended Complaint, which memoranda complied with the Court's Order and contained no more than 8,000 words as calculated pursuant to Local Rule 7.3(d). (ECF Nos. 95, 100).

11. On February 10, 2023, Plaintiffs filed a single response in opposition to Syngenta's and Corteva's Motions to Dismiss, which response complied with the Court's January 13, 2023 Order and contained 15,997 words. (ECF No. 110).

12. Syngenta and Corteva have replies in further support of their motions to dismiss due on March 3, 2023. (ECF No. 116).

13. Syngenta and Corteva are working diligently to be concise in

their presentation of reply arguments to the Court, but reasonably need an enlargement of the default word limit for reply briefs of 3,125 in Local Rule 7.3(d) in order to fully reply to the Plaintiffs' response brief containing 15,997 words.

14. Defendants therefore request that this Court allow them each up to 4,000 words as calculated pursuant to Local Rule 7.3(d) for their respective reply briefs in further support of their Motions to Dismiss the Amended Complaint.

15. Counsel for Defendants have consulted with counsel for Plaintiffs and they consent to an extension of the word limit up to 4,000 words for each reply in further support of the Motions to Dismiss the Amended Complaint.

WHEREFORE, Defendants respectfully request that the Court enter an order allowing them to increase the word limit for each of their replies in further support of Motions to Dismiss the Amended Complaint to 4,000 words, counting those parts of the Memoranda directed to be included by Local Rule 7.3(d)(1).

A proposed Order is submitted herewith.

This the 2nd day of March, 2023.

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